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TS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/113,090

07/10/98

SILVERBROOK

K

ART34-US

EXAMINER

WM02/0523

NGUYEN, L

ART UNIT

PAPER NUMBER

KIA SILVERBROOK
SILVERBROOK RESEARCH PTY
393 DARLING ST
2040 BALMAIN
AUSTRALIA

2612

AIR MAIL

DATE MAILED:

05/23/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

FDA

Office Action Summary

Application No.
09/113,090

Applicant(s)
Silverbrook et al.

Examiner
Luong Nguyen

Art Unit
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☒ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other:

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DETAILED ACTION

Priority

1. Acknowledged is made of paper, PO 8497 filed in Australia on 8/11/1997, submitted under 35 U.S.C. 119(a)-(d), which paper have been placed of record in the file.
2. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Australia on 07/15/1997. It is noted, however, that applicant has not filed a certified copy of the Australian application PO 7991 as required by 35 U.S.C. 119(b).

Claim Objections

3. Claim 5 is objected to because of the following informalities:

Claim 5, line 2, "mircro-electro" should be changed to --micro-electro--.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Misawa et al. (US 5,282,044).

Regarding claim 1, Misawa et al. disclose a camera shake correction system comprising an image sensor, disclosed as CCD 22 (figure 10, column 6, lines 45-50); a velocity detection means, disclosed as angular velocity sensor 255 (figure 10, column 14, lines 14-15); a processor means, disclosed as combination of camera shake correction part 235, signal processing circuit 42 and picture image correction circuit 144 (figure 10, column 14, lines 5-45).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa et al. (US 5,282,044) in view of Nobuoka (US 5,986,698).

Regarding claim 2, Misawa et al. fail to specifically disclose the processor means is connected to a printer means. However, Nobuoka teaches an image sensing apparatus which is connected to a printer (column 1, lines 57-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system in Misawa et al. by the teaching of Nobuoka in order to let the user obtain a hard copy of image.

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Regarding claim 4, Nobuoka disclose wherein said velocity detection means comprises an accelerometer (column 1, lines 40-47).

8. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa et al. (US 5,282,044) in view of Shiomi (US 5,619,030).

Regarding claim 3, Misawa et al. fail to specifically disclose wherein said camera system is a portable handheld camera device. However, Nobuoka discloses a camera which is a portable handheld camera (figure 2). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system in Misawa et al. by the teaching of Shiomi in order to let the user can carry camera to any place to take picture.

9. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Misawa et al. (US 5,282,044) in view of Galvin et al. (US 6,199,874).

Regarding claim 5, Misawa et al. fail to specifically disclose wherein said accelerometer comprises a micro-electro mechanical devices. However, Galvin et al. disclose a microelectromechanical accelerometer (column 1, lines 12-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system in Misawa et al. by the teaching of Galvin et al. in order to reduce cost of manufacturing accelerometer (column 1, lines 17-19).

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Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ouchi (US 5,867,213) discloses an image pickup apparatus having image shake correcting devices determined according to zoom magnifying power.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Luong Nguyen** whose telephone number is **(703) 308-9297**. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wendy Garber**, can be reach on **(703) 305-4929**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 308-9051

or: (703) 308-5359

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive, Arlington, VA., Sixth Floor (Receptionist).

LN LN
5/18/2001


WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600